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| 10/697,755 | 10/30/2003 | Hideaki Nobusawa | 17160 | 8759 |
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| SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530 | | | EWART, JAMES D | |
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| | | | 2617 | |

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Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/697,755 | | NOBUSAWA ET AL. | |
| | Examiner | | Art Unit | |
| | James D. Ewart | | 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment dated 19 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 28 May 2006 have been fully considered, but are not persuasive. Regarding the argument that Stenman et al. does not teach storage means for storing the various remote control codes associated with the plurality of operating buttons in a one-to-one relationship, the Examiner disagrees. Stenman et al states in Column 7, Lines 48-59 that: "A user enters commands through a user interface 2050 of the mobile station" in which the user interface is a keypad with commands associated with the DTMF of the key selected (also see Figure 4, 2050, 2060 & 2025). To clear up Applicant's confusion on the processing performed by the command and control module, the mobile phone provides remote control to a variety of peripheral devices. Each peripheral device can receive commands but the commands must be modulated etc... in a format that the peripheral device is designed to receive. Prior to transmission, the command control module processes the signal into the appropriate format for each peripheral device. In addition, Column 3, Lines 30-33 states " A control command module within the mobile station generates the variety of predetermined control commands to which the peripheral devices are responsive." Since the commands are predetermined, they must also be stored. Again see Figure 4, 2060. It follows that to send a command, a key is selected from the key pad which sends a DTMF tone to the DTMF recognition module of the command control module which then pulls the command from memory and the command control module conditions the command for transmission and sends the command to the peripheral device thus establishing the one key to one command relationship claimed.

2. Regarding the argument that O'Donnell et al. and Goldstein combination do not teach a display means for displaying correspondence between the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively, the Examiner disagrees. Figure 1 of O'Donnell et al. shows a remote control device indicating the correspondence between the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively. The indication is achieved by displaying the correspondence between the button and its operation, but the operation is not on a display. Goldstein teaches a touch screen display for displaying operations of a remote control device see Figure 1.

3. Regarding the argument that Shim fails to teach the one-to-one relationship, the Examiner is confused since the Shim reference teaches the same thing as applicant regarding this limitation. Applicant (in 0018) and Shim (as indicated in Applicants argument) each teach transmitting a group of remote control codes in response to a user operation. The user operation is to perform remote control code; the code can include one line, two lines or many lines of code. Thus examiner interprets this as "transmitting a group of remote control codes formed by a remote control code", which meets the one button one code relationship. Regarding the argument that Shim does not teach three modes of operation, the Examiner disagrees. In Column 4, Lines 36-42, Shim states "In the above-described embodiment, the turning on of a VCR and the channel selection of a television are given as examples, but the data transmission method of the remote controller according to the present invention can be used to carry out any desired consecutive operations which ordinarily would require key manipulation of the remote controller

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more than twice” and in figure 2 Shim shows a loop for accepting remote control commands.

Thus one key could be used to turn on of a VCR and provide the channel selection of a television placing the remote controller in a second mode. Another key could be used to set the recording of a television program placing the remote control in a third mode and a third key for setting the timing of the recording. The Stenman et al invention would be complimented with the art of Shim of executing multiple operations with a single input of a button by reducing the required number of key manipulations.

4. Regarding the argument for claim 40, the argument is moot in view of new grounds of rejection.

Claim Objections

5. Claim 40 is objected to because of the following informalities: the remote control code provides the apparatus being controlled with an instruction. The instruction of the code does not alter. The buttons can be used to select different codes based on the mode. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1, 5 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Stenman et al. (U.S. Patent No. 6,223,029).

Referring to claims 1, 5, and 9, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment by transmitting to the target equipment a desired code in various remote control codes for predetermined various controlling operations on the target equipment (Column 3, Lines 22-29), comprising: an operation unit having a plurality of operation buttons (Column 3, Lines 41-46); storage means for storing the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Column 3, Lines 30-33 and Column 7, Lines 56-63); and transmission means for transmitting to the target equipment a remote control code (Column 7, Lines 49-51), which is associated with one button of the plurality of operation buttons, and is one of the various remote control codes stored in said storage means when the one button is pressed (Column 3, Lines 30-33 and Column 7, Lines 56-63).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2,3,6,7,10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. in view of O'Donnell et al. (U.S. Patent No. 5,414,426) and further in view of Goldstein (U.S. Patent No. 5,410,326).

Referring to claims 2, 6 and 10, Stenman et al teaches the limitations of claims 2,6 and 10, but does not teach displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the key pad. O'Donnell et al. teaches displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the keypad (Figure 2).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al with the teaching of O'Donnell et al. of displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the keypad to inform the user of the operation of the button (Figure 2). Stenman et al. and O'Donnell et al. teach the limitations of claims 2,6 and 10, but do not teach displaying the functions on the display. Goldstein teaches displaying the functions on the display (Figure 1 and Column 7, Lines 16-18). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Stenman et al and O'Donnell et al. with the teaching of Goldstein of displaying the functions on the display to permit control functions to be displayed and selected (Column 7, Lines 30-32)

Referring to claims 3, 7 and 11, Goldstein further teaches wherein said display means displays the correspondences by displaying an image of the operation unit showing controlling operations on and corresponding to the plurality of operation buttons (Figure 1).

8. Claims 4,8,12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Referring to claim 4,8 and 12, Stenman et al. teaches the limitations of claims 4,8,12 and 18, but does not teach downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means. Wall et al teaches downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server (0020), which is connected to a communications network (0020), and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Figure 1), through the communications network (0020), and storing the various remote control codes in said storage means (0023). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Stenman et al with the teaching of Wall et al of downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes

associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means so that the remote control device can receive programming via the manufacturers web site (0020).

Referring to claim 13, Stenman et al. teaches a remote control system, comprising: a mobile telephone with remote-controlling capability which has an operation unit provided with a plurality of operation buttons and remote-controls target equipment (Column 3, Lines 22-29 and Column 7, Lines 56-63); and associates various remote control codes for predetermined various controlling operations on the target equipment with the plurality of operation buttons in a one-to-one relationship and holds the codes (Column 7, Lines 56-63), wherein: said mobile telephone comprises: storing the codes in said storage means (Column 3, Lines 30-33); and transmission means for transmitting to the target equipment a remote control code (Column 7, Lines 49-51), which is associated with one button of the plurality of operation buttons and is one of the various remote control codes stored in said storage means when the one button is pressed (Column 3, Lines 30-33 and Column 7, Lines 56-63), but does not teach and a server which is connected to a communications network, download means for downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from said server through the communications network. Wall et al teaches a server which is connected to a communications network (0020), download means for downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from said server through the communications network (0020 and Figure 1). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to

combine the teaching of Stenman et al. with the teaching of Wall et al teaches a server which is connected to a communications network, download means for downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from said server through the communications network so that the remote control device can receive programming via the manufacturers web site (0020).

9. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Wall et al. in view of O'Donnell et al et al and further in view of Goldstein.

Referring to claim 14, Stenman et al. and Wall et al. teach the limitations of claim 14, but do not teach displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the key pad. O'Donnell et al. teaches displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the keypad (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al and Wall et al. with the teaching of O'Donnell et al. of displaying the operation of the plurality of operation buttons and the predetermined various controlling operations performed when the plurality of operation buttons are pressed respectively on the keypad to inform the user of the operation of the button (Figure 2). Stenman et al., Wall et al. and O'Donnell et al. teach the limitations of claim 14, but do not teach displaying the functions on the display. Goldstein teaches displaying the functions on the display (Figure 1 and

Column 7, Lines 16-18). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Stenman et al., Wall et al. and O'Donnel et al. with the teaching of Goldstein of displaying the functions on the display to permit control functions to be displayed and selected (Column 7, Lines 30-32)

Referring to claim 15, Goldstein further teaches wherein said display means displays the correspondences by displaying an image of the operation unit showing controlling operations on and corresponding to the plurality of operation buttons (Figure 1).

10. Claims 16,19, 22,26, 29,32,36, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and further in view of Shim (U.S. Patent No. 6,078,270).

Referring to claims 16, 26 and 36, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment (Column 3, Lines 22-29 and Column 7, Lines 56-63) comprising: storage means for storing a group of remote control codes for a predetermined controlling operation on the target equipment (Column 3, Lines 30-33 and Column 7, Lines 56-63); and transmission means for transmitting to the target equipment remote control codes in response to a user operation (Column 7, Lines 49-51), Stenman et al. further teaches remotely controlling such devices as TV/VCR (Column 7, Lines 15-21) but does not specifically teach transmitting a group of remote control codes stored in the storage means in response to a user operation. Shim teaches transmitting a group of remote control codes stored in the storage means in response to a user operation (Column 1, Lines 32-58). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art

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to combine the teaching of Stenman et al. with the teaching of Shim of transmitting a group of remote control codes stored in the storage means in response to a user operation to provide a more user friendly remote control (Column 1, Lines 32-58).

Referring to claims 19, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment, comprising: an operation unit having a plurality of operation buttons (Column 3, Lines 22-29 and Column 7, Lines 56-63); storage means for storing various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (Column 3, Lines 30-33 and Column 7, Lines 56-63), and a part of remote control codes of a group of remote control codes for a predetermined controlling operation on the target equipment (Column 3, Lines 30-33); and transmission means for transmitting to the target equipment the a remote control code (Column 7, Lines 49-51) associated with an operation button pressed by a user in advance and the remote control code to perform the predetermined controlling operation on the target equipment in response to a user operation (Column 3, Lines 30-33 and Column 7, Lines 56-63), Stenman et al. further teaches remotely controlling such devices as TV/VCR (Column 7, Lines 15-21) but does not specifically teach using a group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes to perform the predetermined controlling operation on the target equipment in response to a user operation. Shim teaches a group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes to perform the predetermined controlling operation on the target

equipment in response to a user operation (Column 1, Lines 32-58). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al. with the teaching of Shim of a group of remote control codes formed by a remote control code associated with an operation button pressed by a user in advance and the part of remote control codes to perform the predetermined controlling operation on the target equipment in response to a user operation to provide a more user friendly remote control (Column 1, Lines 32-58).

Referring to claims 22, 32 and 38, Stenman et al. teaches a mobile telephone with remote-controlling capability which remote-controls target equipment (Column 3, Lines 22-29 and Column 7, Lines 56-63), comprising: an operation unit having a plurality of operation buttons (Column 7, Lines 56-63); storage means for storing various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (Column 3, Lines 30-33 and Column 7, Lines 56-63), and transmission means for transmitting to the target equipment a remote control code associated with one button of the plurality of operation buttons (Column 7, Lines 49-51) when the one button is pressed and when the mobile telephone is set in a first remote control mode (Column 3, Lines 30-33 and Column 7, Lines 56-63), but does not teach a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in

a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode.

Shim teaches teach a first group of remote control codes for a predetermined first controlling operations on the target equipment (Column 1, Lines 32-58), and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Column 3, Lines 58-60 and Column 4, Lines 35-42); and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Column 3, Lines 32-58), and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Column 3, Lines 58-60 and Column 4, Lines 35-42). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al with the teaching of Shim of a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode to provide a more user friendly remote control (Column 1, Lines 32-58).

Referring to claims 29 and 37, Stenman et al. teaches a remote-controlling method for a mobile telephone with remote-controlling capability which remote-controls target equipment (Column 3, Lines 22-29 and Column 7, Lines 56-63), and has an operation unit and storage means for storing various remote control codes associated with a plurality of operation buttons of the operation unit in a one-to-one relationship for various controlling operations on the target equipment (Column 3, Lines 30-33 and Column 7, Lines 56-63), and a part of remote control codes of a group of remote control codes for a predetermined controlling operation on the target equipment (Column 3, Lines 29-33), comprising a step of transmitting to the target equipment a remote control code formed by the part of remote control codes stored in the storage means (Column 7, Lines 49-51) and a remote control code associated with an operation button pressed by a user in advance to perform the predetermined controlling operation on the target equipment in response to a user operation (Column 7, Lines 56-63), Stenman et al. further teaches remotely controlling such devices as TV/VCR (Column 7, Lines 15-21) but does not teach using a group of remote control codes formed by the part of remote control codes stored in the storage means. Shim teaches using a group of remote control codes formed by the part of remote control codes stored in the storage means (Column 1, Lines 32-58). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al. with the teaching of Shim of using a group of remote control codes formed by the part of remote control codes stored in the storage means to provide a more user friendly remote control (Column 1, Lines 32-58).

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11. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Shim and further in view of August et al. (U.S. Patent No. 5,671,267).

Referring to claim 17, Stenman et al. further teaches wherein the target equipment is a video recording device (Column 7, Lines 16-18), but does not teach the group of remote control codes forms recording information for recording of a program. August et al. teaches the group of remote control codes forms recording information for recording of a program (Column 8, Lines 29-33). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al. and Shim with the teaching of August et al. wherein the group of remote control codes forms recording information for recording of a program to provide remote control and wireless communications in a single device (Column 1, Lines 29-33).

12. Claims 18,21,25,28,31 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Shim and further in view of Wall et al. (U.S. Patent Publication No. 2003/0156053).

Referring to claims 18, 21,28,31 and 35, Stenman et al. and Shim teach the limitations of claims 18,21,28,31 and 35, but do not teach downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the

communications network, and storing the various remote control codes in said storage means.

Wall et al teaches downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server (0020), which is connected to a communications network (0020), and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship (Figure 1), through the communications network (0020), and storing the various remote control codes in said storage means (0023). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Stenman et al and Shim with the teaching of Wall et al of downloading the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship from a server, which is connected to a communications network, and has the various remote control codes associated with the plurality of operation buttons in a one-to-one relationship, through the communications network, and storing the various remote control codes in said storage means so that the remote control device can receive programming via the manufacturers web site (0020).

Referring to claim 25, Stenman et al. and Shim teach the limitations of claim 25, but do not teach wherein each remote control code stored in said storage means is received from a server connected to a communications network through the communications network. Wall et al teaches each remote control code stored in said storage means is received from a server connected to a communications network through the communications network (0020, 0023 and Figure 1). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al. and Shim with the teaching

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of Wall et al wherein each remote control code stored in said storage means is received from a server connected to a communications network through the communications network so that the remote control device can receive programming via the manufacturers web site (0020).

13. Claims 20,23,24,27,30,33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al. and Shim and further in view of August et al. (U.S. Patent No. 5,671,267).

Referring to claims 23, 27 and 33, Stenman et al. further teaches wherein the target equipment is a video recording device (Column 7, Lines 16-18), but does not teach the group of remote control codes forms recording information for recording of a program. August et al. teaches the group of remote control codes forms recording information for recording of a program (Column 8, Lines 29-33). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al. and Shim with the teaching of August et al. wherein the group of remote control codes forms recording information for recording of a program to provide remote control and wireless communications in a single device (Column 1, Lines 29-33)

Referring to claims 20,24,30 and 34, Stenman et al. and Shim teach the limitations of claims 20,24,30 and 34, but do not teach wherein the group of remote control codes forms time setting information for setting a time on the target equipment. August et al. teaches wherein the group of remote control codes forms time setting information for setting a time on the target equipment. (Column 8, Lines 29-33). Therefore at the time the invention was made, it would

have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al and Shim with the teaching of August et al. wherein the group of remote control codes forms time setting information for setting a time on the target equipment to provide remote control and wireless communications in a single device (Column 1, Lines 29-33).

14. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al in view of Shim and further in view of Wall et al.

Referring to claim 39, Stenman et al. teaches a remote control system, comprising: a mobile telephone with remote-controlling capability which has an operation unit provided with a plurality of operation buttons, and remote-controls target equipment (Column 3, Lines 22-29); wherein said mobile telephone comprises: storage means (Column 3, Lines 30-33 and Column 7, Lines 56-63); and transmission means for transmitting to the target equipment a remote control code associated with one button of the plurality of operation buttons when the one button is pressed and when the mobile telephone is set in a first remote control mode (Column 7, Lines 49-51), but does not teach a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the

mobile telephone is set in a third remote control mode. Shim teaches teach a first group of remote control codes for a predetermined first controlling operations on the target equipment (Column 1, Lines 32-58), and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment (Column 3, Lines 58-60 and Column 4, Lines 35-42); and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode (Column 3, Lines 32-58), and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode (Column 3, Lines 58-60 and Column 4, Lines 35-42). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al with the teaching of Shim of a first group of remote control codes for a predetermined first controlling operations on the target equipment, and a part of a remote control codes of a second group of remote control codes for a predetermined second controlling operation on the target equipment; and transmitting to the target equipment the first group of remote control codes in response to a user operation when the mobile telephone is set in a second remote control mode, and transmitting to the target equipment the second group of remote control codes pressed by a user in advance and the part of remote control codes in response to a user operation when the mobile telephone is set in a third remote control mode to provide a more user friendly remote control (Column 1, Lines 32-58). Stenman et al and Shim teach the limitations of claim 39, but do not teach a server which is connected to a communications network, and stores various remote control codes associated with the plurality

of operation buttons in a one-to-one relationship for various controlling operations on the target equipment, download means for downloading the various remote control codes, the first group of remote control codes, and the part of remote control codes from said server through the communications network, and storing the downloaded codes in said storage means. Wall et al teaches a server which is connected to a communications network (0020), and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment (0020 and 0023), download means for downloading the various remote control codes (0020), the first group of remote control codes, and the part of remote control codes from said server through the communications network (0020), and storing the downloaded codes in said storage means (0023). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al and Shim with the teaching of Wall et al teaches a server which is connected to a communications network, and stores various remote control codes associated with the plurality of operation buttons in a one-to-one relationship for various controlling operations on the target equipment, download means for downloading the various remote control codes, the first group of remote control codes, and the part of remote control codes from said server through the communications network, and storing the downloaded codes in said storage means so that the remote control device can receive programming via the manufacturers web site (0020).

15. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stenman et al, Shim and Wall et al. and further in view of Goldstein.

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Referring to claim 40, Stenman et al, Shim and Wall et al. teach the limitations of claim 40, but do not teaches using the same selection for various remote control codes based on a remote control mode. Goldstein teaches using the same selection for various remote control codes based on a remote control mode (Figures 2A – 3B). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Stenman et al, Shim and Wall et al. with the teaching of Goldstein of using the same selection for various remote control codes based on a remote control mode to control a variety of devices (Column 3, Lines 15-17).

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The examiner can normally be reached on M-F 7am - 4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571)272-7872. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2600.

Ewart
May 23, 2006



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600